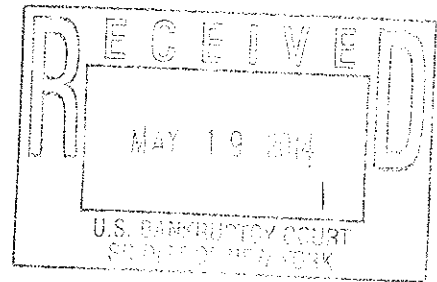


1 **NORMA E. RODRIGUEZ**
2 14429 S. Cookacre Street
3 Compton, California 90221
4 Telephone No.: (310) 748-8008
5 Facsimile No.: (310) 748-8008

6 **Creditor, NORMA E. RODRIGUEZ In Pro Se**



7 **UNITED STATES BANKRUPTCY COURT**
8 **FOR THE SOUTHERN DISTRICT OF NEW YORK**

9
10
11 In Re:

12
13
14 RESIDENTIAL CAPITAL, LLC, *et al.*,

15 Debtors
16
17

) **CHAPTER 11**

) **CASE NO. 12-12020 (MG)**

) **Jointly Administered**

) **OBJECTION OF THE**
18 **RESCAP TRUST, AS**
19 **SUCCESSOR IN**
20 **INTEREST TO THE**
21 **DEBTORS' SIXTY-THIRD**
22 **OMNIBUS CLAIMS**
23 **OBJECTION (PURPOSED**
24 **ADMINISTRATIVE**
25 **CLAIMS) - NORMA E.**
26 **RODRIGUEZ TO CLAIM**
27 **(LATE-FILED**
28 **BORROWER CLAIM)**

WITH RESPECT TO
CLAIM NO. 7450 FILED
CREDITOR NORMA E.
RODRIGUEZ

Date: June 10, 2014
Time: 10:00 a.m.
Place: Courtroom 501

TO THE HONORABLE MARTIN GLENN
UNITED STATES BANKRUPTCY JUDGE:

The ResCap Liquidating Trust (the "Trust"), as successor in interest to the Debtors (defined below) in the above-captioned Chapter 11 cases (the "Chapter 11 Cases"), the undersigned Creditor in Pro Se hereby files this objection (the "Objection") to the Debtors' *Sixty-Third Omnibus Claims Objection (Purported Administrative Claims) - Norma E. Rodriguez to Claim (Late-Filed Borrower Claim) with Respect to Claim No. 7450* [Docket No. 6845] filed by Norma E. Rodriguez ("Creditor"), a borrower appearing *pro se*. In support of the Objection, the Creditor submits the Declaration of David R. Miranda (the "Miranda Declaration"), and Declaration of Norma E. Rodriguez (the "Rodriguez Declaration"), annexed hereto as **Exhibit 1**, and **Exhibit 2**, and respectfully represents as follows:

BACKGROUND

1. On May 14, 2012, each of the debtors in the Chapter 11 Cases (collectively, the "Debtors") filed a voluntary petition in the Court for

1 relief under Chapter 11 of Title 11 of the United States Code (the "Bankruptcy
2 Code"). On the Petition Date, the Court entered an order jointly administering
3 the Chapter 11 Cases pursuant to Rule 1015 (b) of the Federal Rules of
4 Bankruptcy Procedure (the "Bankruptcy Rules").

5 2. On December 11, 2013, the Court entered the claim bar date
6 order, which established among other things, (i) **January 16, 2014 at 5:00**
7 **p.m.** (Prevailing Eastern Time) as the deadline to file proofs of claim by
8 virtually all creditors against the Debtors (the "General Bar Date").

9 3. On **January 16, 2014**, Creditor filed a proof of claim
10 designated as Claim No. 7450 against GMAC Mortgage, LLC, annexed hereto
11 as **Exhibit 1**, asserting a contractual fraud claim in the amount of:
12 \$ 477,189.77 as a secured claim in connection with certain allegations
13 involving, among other things, purported fraud and quiet title by the Debtors
14 involving one (1) parcel of real property located at 3422 Hope Street,
15 Huntington Park, California, 90255. This contractual fraud and quiet title
16 federal case, entitled, "*Norma E. Rodriguez v. GMAC Mortgage, LLC, et al.*,"
17 United States District Court No. 2:12-cv-09808 JAK (Ex) was filed on:
18 November 15, 2012 in United States District Court, Central District of
19 California - Western Division. **See Exhibit 1**. The proof of claim is signed
20 and dated January 16, 2014. There are supporting documentation included in
21 any of Creditor's filings to date to evidence this mailing or completed service,
22 among other things, evidence of proof of U.S. Postal Express Mail - Overnight
23
24

1 Courier and U.S. Postal First Class Certified service, respectively.

2 4. Furthermore, the evidence shows that Kurtzman Carson
3 Consultants ("KCC"), REFUSED to accept mailing or completed service by
4 closing their assigned ResCap Claims Process Center, c/o KCC, P.O. Box 5004,
5 Hawthorne, California 90250 on **January 16, 2014**. As a result, the U.S.
6 Postal Service (the "Federal Government Entity") returned proof of claim
7 designated as Claim No. 7450 as "not delivered as address - unable to forward,"
8 to Creditor. Therefore, Creditor complied with a timely original response
9 requirements, which was filed, served, and received on or before the General
10 Bar Date, pursuant to Bankruptcy Rules. See Exhibit 1 and Exhibit 2, and
11 Miranda Declaration ¶¶ 5-8.

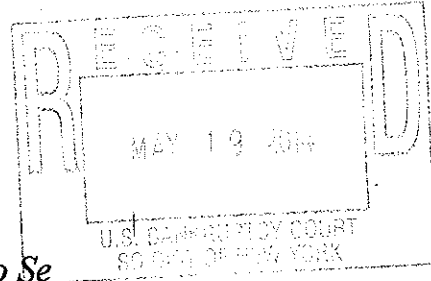
12
13 **CONCLUSION**

14 5. For the reasons set forth above, the Court should deny
15 debtors' Sixty-Third Omnibus Claims Objection (Purported Administrative
16 Claims) - to Claim (Late-Filed Borrower Claim) with Respect to Claim No.
17 7450. Accordingly, the Creditor requests that the Disallowance Order be
18 denied.

19 Dated: May 4, 2014
20 Compton, California

21 By: Norma E. Rodriguez
22 **NORMA E. RODRIGUEZ**
23 *Creditor In Pro Se*

1 **NORMA E. RODRIGUEZ**
2 14429 S. Cookacre Street
3 Compton, California 90221
4 Telephone No.: (310) 748-8008
5 Facsimile No.: (310) 748-8008



6 **Creditor, NORMA E. RODRIGUEZ In Pro Se**

7 **UNITED STATES BANKRUPTCY COURT**
8 **FOR THE SOUTHERN DISTRICT OF NEW YORK**

9
10
11 In Re:) **CHAPTER 11**
12)
13) **CASE NO. 12-12020 (MG)**
14 RESIDENTIAL CAPITAL, LLC, *et al.*,) **Jointly Administered**
15 Debtors)
16)
17) **AFFIDAVIT OF**
18 **SERVICE FILED BY**
19 **CREDITOR NORMA**
20 **E. RODRIGUEZ**

21 **AFFIDAVIT OF SERVICE**

22 I, Mr. David R. Miranda, the undersigned declares:

23 I am and was at all times herein mentioned, a citizen of the United
24 States and employed in the County of Los Angeles, over the age of eighteen
25 years and not a party to the within action or proceeding; that my business or
26 residence is: 920 North Eastman Avenue, Los Angeles, California 90063.

27 On of: **May 12, 2014**, at the direction of Creditor, Norma E. Rodriguez, I
28 served a true and correct copy, with all exhibits, of the following document

(s) described as:

1. **Declaration of David R. Miranda in Support of her Objection of the ResCap Trust, as successor in interest to the Debtors' Sixty-Third Omnibus Claims Objection (Purported Administrative Claims) - Norma E. Rodriguez to Claim (Late-Filed Borrower Claim) with Respect to Claim No. 7450 filed by Creditor Norma E. Rodriguez;**
2. **Declaration of Norma E. Rodriguez in Support of her Objection of the ResCap Trust, as successor in interest to the Debtors' Sixty-Third Omnibus Claims Objection (Purported Administrative Claims) - Norma E. Rodriguez to Claim (Late-Filed Borrower Claim) with Respect to Claim No. 7450 filed by Creditor Norma E. Rodriguez;**
3. **Objection of the ResCap Trust, as successor in interest to the Debtors' Sixty-Third Omnibus Claims Objection (Purported Administrative Claims) - Norma E. Rodriguez to Claim (Late-Filed Borrower Claim) with Respect to Claim No. 7450 filed by Creditor Norma E. Rodriguez;**

☒ by placing a true copy thereof enclosed in a sealed envelope on the party or parties named below via First Class Mail and Electronic Mail, for collection and mailing with the United States Postal Service where it would be deposited in the United States Postal Service that same day in the ordinary course of business, addressed as follows:

Gary S. Lee, Esq.
Norman S. Rosenbaum, Esq.
Jordan A. Wishnew, Esq.
Meryl L. Rothchild, Esq.
MORRISON & FOERSTER LLP
250 West 55th Street
New York, New York 10019

Direct: (212) 468-8000
Facsimile: (212) 468-7900
For *Debtors*,
RESCAP LIQUIDATING TRUST,
RESIDENTIAL CAPITAL, LLC,
AND GMAC MORTGAGE, LLC
ET AL.

1 Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the
2 foregoing is true and correct.

3 Dated: May 10, 2014
4 Los Angeles, California

By: 

DAVID R. MIRANDA

EXHIBIT “ 1 ”

1 **NORMA E. RODRIGUEZ**
2 14429 S. Cookacre Street
3 Compton, California 90221
4 Telephone No.: (310) 748-8008
5 Facsimile No.: (310) 748-8008

6 **Creditor, NORMA E. RODRIGUEZ In Pro Se**

7 **UNITED STATES BANKRUPTCY COURT**
8 **FOR THE SOUTHERN DISTRICT OF NEW YORK**
9

10
11 In Re:) **CHAPTER 11**
12)
13) **CASE NO. 12-12020 (MG)**
14 RESIDENTIAL CAPITAL, LLC, *et al.*,) **Jointly Administered**
15)
16 Debtors)
17)
18) **DECLARATION OF**
19) **DAVID R. MIRANDA**
20) **IN SUPPORT OF HER**
21) **OBJECTION OF THE**
22) **RESCAP TRUST, AS**
23) **SUCCESSOR IN**
24) **INTEREST TO THE**
25) **DEBTORS' SIXTY-THIRD**
26) **OMNIBUS CLAIMS**
27) **OBJECTION (PURPOSED**
28) **ADMINISTRATIVE**
) **CLAIMS) - NORMA E.**

Declaration of David R. Miranda in Support of her Objection of the ResCap Trust, as
successor in interest to the Debtors' Sixty-Third Omnibus Claims Objection (Purported
Administrative Claims) - Norma E. Rodriguez to Claim (Late-Filed Borrower Claim)
with Respect to Claim No. 7450 filed by Creditor Norma E. Rodriguez

**RODRIGUEZ TO CLAIM
(LATE-FILED
BORROWER CLAIM)
WITH RESPECT TO
CLAIM NO. 7450 FILED
CREDITOR NORMA E.
RODRIGUEZ**

Date: June 10, 2014
Time: 10:00 a.m.
Place: Courtroom 501

DECLARATION OF DAVID R. MIRANDA

I, David R. Miranda, hereby declare as follows:

1. I am material witness and was at all times herein mentioned, a citizen of the United States and employed in the County of Los Angeles, over the age of eighteen years and not a party to the within action or proceeding; that my business or residence is: 920 North Eastman Avenue, Los Angeles, California 90063.

2. I submit this declaration (the "Declaration") in support of Creditor's Objection to Debtors' *Sixty-Third Omnibus Claims Objection (Purported Administrative Claims) - Norma E. Rodriguez to Claim (Late-Filed Borrower Claim) with Respect to Claim No. 7450* (the "Objection") filed by Norma E. Rodriguez ("Creditor").

3. Except as otherwise indicated, all facts set forth in this Declaration are based upon my personal knowledge of the Creditor's federal

1 lawsuit against GMAC Mortgage, LLC, and all respective debtors. If I was
2 called upon to testify, I could and would testify competently to the facts set
3 forth in the Objection on that basis.

4 4. In my capacity as material witness, I am familiar with the
5 overnight courier and certified mailing proof of service by placing the
6 Creditor's proof of claim document in a sealed envelope with postage thereon
7 fully prepaid, in the United States mail at **Los Angeles, California** addressed
8 as set forth below. I readily familiar with the practice of collection and
9 processing of correspondence for mailing. Under that practice, it would be
10 deposited with the U.S. Postal Service on that same day with postage thereon
11 fully prepaid in the ordinary course of business.

12 5. On **January 16, 2014**, at the direction of Creditor, Norma
13 E. Rodriguez, I caused and served a true and correct copy of the Creditor's
14 proof of claim signed and dated January 16, 2014 [Docket No. 6845] to be
15 served upon **ResCap Claims Processing Center, c/o KCC, P.O. Box 5004,**
16 **Hawthorne, California 90250** via Express Mail U.S. Mail No.
17 EI460227983US and Certified First Class U.S. Mail No. EI460227983US,
18 respectively.
19

20 6. Attached as **EXHIBIT "1"** is true and correct copy of that
21 U.S. Postal Service Express Mail No. EI460227983US mailing receipt
22 including a copy of that envelope addressed to KCC including copies of
23 supporting documents.
24

1 7. Attached as **EXHIBIT "2"** is true and correct copy of that
2 CREDITOR'S PROOF OF CLAIM signed and dated January 16, 2014 by
3 Creditor including copies of supporting documents.

4 8. Attached as **EXHIBIT "3"** is true and correct copy of that
5 KCC's assigned claims business address listed as: **ResCap Claims**
6 **Processing Center, c/o KCC, P.O. Box 5004, Hawthorne, California 90250**
7 as to DEBTORS' NOTICE OF DEADLINE FOR FILING PROOFS OF
8 CLAIM legal federal bankruptcy pleadings.

9 9. In accordance with mailing standard procedure, each of the
10 foregoing document was securely enclosed in postage prepaid envelopes and
11 delivered to an office of the United States Postal Service for delivery by
12 Certified First Class U.S. Mail and Express Mail U.S. Mail, respectively. The
13 envelopes were clearly marked with KCC's assigned mailing address.

14 10. As of the date of this Declaration, the foregoing mailing
15 identified in this Declaration was returned by KCC as: "not delivered as address
16 - unable to forward."
17

18 Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury
19 that the foregoing is true and correct.

20 Dated: May 4, 2014
21 Los Angeles, California

22 By: 
23 **DAVID R. MIRANDA**
24 *Creditor's Material Witness*

EXHIBIT “ 1 ”

EXTREMELY URGENT

Please Rush To Addressee

PLEASE PRESS FIRMLY

COMPLETE THIS SECTION ON DELIVERY

A. Signature		<input type="checkbox"/> Agent
X		<input type="checkbox"/> Addressee
B. Received by (Printed Name)	C. Date of Delivery	
D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No		
every address below:		

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

ATTN: ResCap Claims Processing Center

c/o KCC

P.O. Box 5004

Hawthorne, CA 90250



<input type="checkbox"/> Express Mail	<input type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Insured Mail	<input type="checkbox"/> C.O.D.
4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes <input type="checkbox"/> No	

2. Article Number

(Transfer from service label)

PS Form 3811, February 2004

Domestic Re

102595-02-M-1540

EI 460 227 983 US

English

Customer Service

USPS Mobile

Register / Sign In



Search USPS.com or Track Packages Subr

Quick Tools

Ship a Package

Send Mail

Manage Your Mail

Shop

Business Solutions

USPS Tracking™



Customer Service ›
Have questions? We're here to help.

Tracking Number: EI460227983US

Scheduled Delivery Day: Friday, January 17, 2014, 12:00 pm
Money Back Guarantee
Signed for By: WAIVED // COMPTON, CA 90221 // 5:05 pm

Product & Tracking Information

Postal Product:

Priority Mail Express 1-Day™

Features:

\$100 insurance included
Return Receipt

PO to Addressee

Available Actions

Proof of Delivery

DATE & TIME	STATUS OF ITEM	LOCATION
January 18, 2014 , 5:05 pm	Delivered	COMPTON, CA 90221

Your item was delivered at 5:05 pm on January 18, 2014 in COMPTON, CA 90221. Waiver of signature was exercised at time of delivery.

January 17, 2014 , 5:14 pm	Processed at USPS Origin Sort Facility	LOS ANGELES, CA 90009
January 17, 2014 , 9:35 am	Moved, Left no Address	HAWTHORNE, CA 90250
January 17, 2014 , 8:57 am	Arrival at Post Office	HAWTHORNE, CA 90250
January 17, 2014 , 8:56 am	Available for Pickup	HAWTHORNE, CA 90250
January 17, 2014 , 2:38 am	Depart USPS Sort Facility	LOS ANGELES, CA 90009
January 16, 2014 , 6:52 pm	Depart Post Office	LOS ANGELES, CA 90063
January 16, 2014 , 5:21 pm	Acceptance	LOS ANGELES, CA 90063

Track Another Package

What's your tracking (or receipt) number?

Track It

LEGAL

Privacy Policy ›

ON USPS.COM

Government Services ›

ON ABOUT.USPS.COM

About USPS Home ›

OTHER USPS SITES

Business Customer Gateway ›

EXHIBIT “ 2 ”

B10 (Official Form 10) (04/13)

UNITED STATES BANKRUPTCY COURT		PROOF OF CLAIM						
<p>Name of Debtor: GMAC MORTGAGE, INC. In re: RESIDENTIAL CAPITAL, LLC, 1100 Virginia Drive Fort Washington, PA 19034</p>	<p>Case Number: 12-12020 (MG)</p>							
<p>NOTE: Do not use this form to make a claim for an administrative expense that arises after the bankruptcy filing. You may file a request for payment of an administrative expense according to 11 U.S.C. § 503.</p>								
<p>Name of Creditor (the person or other entity to whom the debtor owes money or property): NORMA E. RODRIGUEZ</p>								
<p>Name and address where notices should be sent: NORMA E. RODRIGUEZ 3422 Hope Street Huntington Park, California 90255 Telephone number: 310.748.8008 email:</p>		<p style="text-align: center;">COURT USE ONLY</p> <p><input type="checkbox"/> Check this box if this claim amends a previously filed claim.</p> <p>Court Claim Number: 2:12-cv-09808 (If known) JAK (Ex)</p> <p>Filed on: 11/15/12</p>						
<p>Name and address where payment should be sent (if different from above): NORMA E. RODRIGUEZ 14429 S. Cookacre Street Compton, California 90221 Telephone number: 310.748.8008 email:</p>		<p><input type="checkbox"/> Check this box if you are aware that anyone else has filed a proof of claim relating to this claim. Attach copy of statement giving particulars.</p>						
<p>1. Amount of Claim as of Date Case Filed: \$ 477,189.77</p> <p>If all or part of the claim is secured, complete item 4. 3422 Hope Street Huntington Park, CA 90255</p> <p>If all or part of the claim is entitled to priority, complete item 5.</p> <p><input type="checkbox"/> Check this box if the claim includes interest or other charges in addition to the principal amount of the claim. Attach a statement that itemizes interest or charges.</p>								
<p>2. Basis for Claim: <i>gmac fraudulently transferred property for payment on another account - constructive trust</i></p>								
<p>3. Last four digits of any number by which creditor identifies debtor:</p>	<p>3a. Debtor may have scheduled account as: (See instruction #3a)</p>	<p>3b. Uniform Claim Identifier (optional): (See instruction #3b)</p>						
<p>4. Secured Claim (See instruction #4) Check the appropriate box if the claim is secured by a lien on property or a right of setoff, attach required redacted documents, and provide the requested information.</p> <p>Nature of property or right of setoff: <input checked="" type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other Describe:</p> <p>Value of Property: \$ _____</p> <p>Annual Interest Rate _____ % <input type="checkbox"/> Fixed or <input type="checkbox"/> Variable (when case was filed)</p> <p>Amount of arrearage and other charges, as of the time case was filed, included in secured claim, if any: \$ _____</p> <p>Basis for perfection: _____</p> <p>Amount of Secured Claim: \$ _____</p> <p>Amount Unsecured: \$ _____</p>								
<p>5. Amount of Claim Entitled to Priority under 11 U.S.C. § 507 (a). If any part of the claim falls into one of the following categories, check the box specifying the priority and state the amount.</p> <table style="width: 100%;"> <tr> <td style="width: 33%; vertical-align: top;"> <input type="checkbox"/> Domestic support obligations under 11 U.S.C. § 507 (a)(1)(A) or (a)(1)(B). </td> <td style="width: 33%; vertical-align: top;"> <input type="checkbox"/> Wages, salaries, or commissions (up to \$12,475*) earned within 180 days before the case was filed or the debtor's business ceased, whichever is earlier - 11 U.S.C. § 507 (a)(4). </td> <td style="width: 33%; vertical-align: top;"> <input type="checkbox"/> Contributions to an employee benefit plan - 11 U.S.C. § 507 (a)(5). </td> </tr> <tr> <td style="vertical-align: top;"> <input type="checkbox"/> Up to \$2,775* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. § 507 (a)(7). </td> <td style="vertical-align: top;"> <input type="checkbox"/> Taxes or penalties owed to governmental units - 11 U.S.C. § 507 (a)(8). </td> <td style="vertical-align: top;"> <input type="checkbox"/> Other - Specify applicable paragraph of 11 U.S.C. § 507 (a)(). </td> </tr> </table> <p style="text-align: right;">Amount entitled to priority: \$ _____</p>			<input type="checkbox"/> Domestic support obligations under 11 U.S.C. § 507 (a)(1)(A) or (a)(1)(B).	<input type="checkbox"/> Wages, salaries, or commissions (up to \$12,475*) earned within 180 days before the case was filed or the debtor's business ceased, whichever is earlier - 11 U.S.C. § 507 (a)(4).	<input type="checkbox"/> Contributions to an employee benefit plan - 11 U.S.C. § 507 (a)(5).	<input type="checkbox"/> Up to \$2,775* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. § 507 (a)(7).	<input type="checkbox"/> Taxes or penalties owed to governmental units - 11 U.S.C. § 507 (a)(8).	<input type="checkbox"/> Other - Specify applicable paragraph of 11 U.S.C. § 507 (a)().
<input type="checkbox"/> Domestic support obligations under 11 U.S.C. § 507 (a)(1)(A) or (a)(1)(B).	<input type="checkbox"/> Wages, salaries, or commissions (up to \$12,475*) earned within 180 days before the case was filed or the debtor's business ceased, whichever is earlier - 11 U.S.C. § 507 (a)(4).	<input type="checkbox"/> Contributions to an employee benefit plan - 11 U.S.C. § 507 (a)(5).						
<input type="checkbox"/> Up to \$2,775* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. § 507 (a)(7).	<input type="checkbox"/> Taxes or penalties owed to governmental units - 11 U.S.C. § 507 (a)(8).	<input type="checkbox"/> Other - Specify applicable paragraph of 11 U.S.C. § 507 (a)().						
<p>*Amounts are subject to adjustment on 4/01/16 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.</p>								
<p>6. Credits. The amount of all payments on this claim has been credited for the purpose of making this proof of claim. (See instruction #6)</p>								

B:O (Official Form 10) (04/13)

7. Documents: Attached are redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, security agreements, or, in the case of a claim based on an open-end or revolving consumer credit agreement, a statement providing the information required by FRBP 3001(c)(3)(A). If the claim is secured, box 4 has been completed, and redacted copies of documents providing evidence of perfection of a security interest are attached. If the claim is secured by the debtor's principal residence, the Mortgage Proof of Claim Attachment is being filed with this claim. (See instruction #7, and the definition of "redacted")

DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING.

If the documents are not available, please explain:

8. Signature: (See instruction #8)

Check the appropriate box.

☒ I am the creditor. ☐ I am the creditor's authorized agent.

☐ I am the trustee, or the debtor, or their authorized agent. (See Bankruptcy Rule 3004.)

☐ I am a guarantor, surety, indorser, or other codebtor. (See Bankruptcy Rule 3005.)

I declare under penalty of perjury that the information provided in this claim is true and correct to the best of my knowledge, information, and reasonable belief.

Print Name: Norma E. Rodriguez

Title: _____

Company: _____

Address and telephone number (if different from notice address above):

14429 S. Cookacre Street
Compton, CA 90221

Telephone number: _____

email: _____

Norma E. Rodriguez 01/16/14
(Signature) (Date)

INSTRUCTIONS FOR PROOF OF CLAIM FORM

The instructions and definitions below are general explanations of the law. In certain circumstances, such as bankruptcy cases not filed voluntarily by the debtor, exceptions to these general rules may apply.

Items to be completed in Proof of Claim form

Court, Name of Debtor, and Case Number:

Fill in the federal judicial district in which the bankruptcy case was filed (for example, Central District of California), the debtor's full name, and the case number. If the creditor received a notice of the case from the bankruptcy court, all of this information is at the top of the notice.

Creditor's Name and Address:

Fill in the name of the person or entity asserting a claim and the name and address of the person who should receive notices issued during the bankruptcy case. A separate space is provided for the payment address if it differs from the notice address. The creditor has a continuing obligation to keep the court informed of its current address. See Federal Rule of Bankruptcy Procedure (FRBP) 2002(g).

1. Amount of Claim as of Date Case Filed:

State the total amount owed to the creditor on the date of the bankruptcy filing. Follow the instructions concerning whether to complete items 4 and 5. Check the box if interest or other charges are included in the claim.

2. Basis for Claim:

State the type of debt or how it was incurred. Examples include goods sold, money loaned, services performed, personal injury/wrongful death, car loan, mortgage note, and credit card. If the claim is based on delivering health care goods or services, limit the disclosure of the goods or services so as to avoid embarrassment or the disclosure of confidential health care information. You may be required to provide additional disclosure if an interested party objects to the claim.

3. Last Four Digits of Any Number by Which Creditor Identifies Debtor:

State only the last four digits of the debtor's account or other number used by the creditor to identify the debtor.

3a. Debtor May Have Scheduled Account As:

Report a change in the creditor's name, a transferred claim, or any other information that clarifies a difference between this proof of claim and the claim as scheduled by the debtor.

3b. Uniform Claim Identifier:

If you use a uniform claim identifier, you may report it here. A uniform claim identifier is an optional 24-character identifier that certain large creditors use to facilitate electronic payment in chapter 13 cases.

4. Secured Claim:

Check whether the claim is fully or partially secured. Skip this section if the

claim is entirely unsecured. (See Definitions.) If the claim is secured, check the box for the nature and value of property that secures the claim, attach copies of lien documentation, and state, as of the date of the bankruptcy filing, the annual interest rate (and whether it is fixed or variable), and the amount past due on the claim.

5. Amount of Claim Entitled to Priority Under 11 U.S.C. § 507 (a).

If any portion of the claim falls into any category shown, check the appropriate box(es) and state the amount entitled to priority. (See Definitions.) A claim may be partly priority and partly non-priority. For example, in some of the categories, the law limits the amount entitled to priority.

6. Credits:

An authorized signature on this proof of claim serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

7. Documents:

Attach redacted copies of any documents that show the debt exists and a lien secures the debt. You must also attach copies of documents that evidence perfection of any security interest and documents required by FRBP 3001(c) for claims based on an open-end or revolving consumer credit agreement or secured by a security interest in the debtor's principal residence. You may also attach a summary in addition to the documents themselves. FRBP 3001(c) and (d). If the claim is based on delivering health care goods or services, limit disclosing confidential health care information. Do not send original documents, as attachments may be destroyed after scanning.

8. Date and Signature:

The individual completing this proof of claim must sign and date it. FRBP 9011. If the claim is filed electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what constitutes a signature. If you sign this form, you declare under penalty of perjury that the information provided is true and correct to the best of your knowledge, information, and reasonable belief. Your signature is also a certification that the claim meets the requirements of FRBP 9011(b). Whether the claim is filed electronically or in person, if your name is on the signature line, you are responsible for the declaration. Print the name and title, if any, of the creditor or other person authorized to file this claim. State the filer's address and telephone number if it differs from the address given on the top of the form for purposes of receiving notices. If the claim is filed by an authorized agent, provide both the name of the individual filing the claim and the name of the agent. If the authorized agent is a servicer, identify the corporate servicer as the company. Criminal penalties apply for making a false statement on a proof of claim.

EXHIBIT “ 3 ”

If you have any questions related to this notice, please call (888) 926-3479

MORRISON & FOERSTER LLP
1290 Avenue of the Americas
New York, New York 10104
Gary S. Lee
Lorenzo Marinuzzi

*Counsel for the Debtors and
Debtors in Possession*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

RESIDENTIAL CAPITAL, LLC, et al.,

Debtors.

) Case No. 12-12020 (MG)

) Chapter 11

) Jointly Administered

NOTICE OF DEADLINES FOR FILING PROOFS OF CLAIM

TO ALL PERSONS AND ENTITIES WITH CLAIMS AGAINST RESIDENTIAL CAPITAL, LLC OR ITS AFFILIATED ENTITIES THAT ARE ALSO DEBTORS AND DEBTORS IN POSSESSION:

On August 29, 2012, the United States Bankruptcy Court for the Southern District of New York (the "U.S. Bankruptcy Court") entered an order (the "Bar Date Order") establishing **November 9, 2012 at 5:00 p.m. (Prevailing Eastern Time)** (the "General Bar Date") as the last date and time for each person or entity (including individuals, partnerships, corporations, joint ventures, corporations, estates, trusts, and governmental units) to file a proof of claim against Residential Capital, LLC its affiliates that are also debtors and debtors in possession in those proceedings (collectively, the "Debtors"). Solely as to governmental units the Bar Date Order established **November 30, 2012 at 5:00 p.m. (Prevailing Eastern Time)** as the last date and time for each such governmental unit to file a proof of claim against the Debtors (the "Governmental Bar Date," and, together with the General Bar Date, the "Bar Dates").

The Bar Dates and the procedures set forth below for filing proofs of claim apply to all claims against the Debtors that arose before May 14, 2012, the date on which the Debtors commenced cases under Chapter 11 of the United States Bankruptcy Code (the "Petition Date"), except for those holders of the claims listed in section 4 below that are specifically excluded from the General Bar Date filing requirement.

1. WHO MUST FILE A PROOF OF CLAIM

You **MUST** file a proof of claim to vote on a Chapter 11 plan filed by the Debtors or to share in distributions from the Debtors' bankruptcy estates if you have a claim that arose before the filing of the Debtors' Chapter 11 petitions on the Petition Date and it is not one of the types of claims described in section 4 below. Claims based on acts or omissions of the Debtors that occurred before the Petition Date must be filed on or before the applicable Bar Date, even if such claims are not now fixed, liquidated or certain or did not mature or become fixed, liquidated or certain before the Petition Date.

Under section 101(5) of the Bankruptcy Code and as used in this Notice, the word "claim" means: (a) a right to payment, whether or not such right is reduced to judgment, liquidated, unliquidated, fixed, contingent, matured, unmatured, disputed, undisputed, legal, equitable, secured, or unsecured; or (b) a right to an equitable remedy for breach of performance if such breach gives rise to a right to payment, whether or not such right to an equitable remedy is reduced to judgment, fixed, contingent, matured, unmatured, disputed, undisputed, secured or unsecured.

2. WHAT TO FILE

Each filed proof of claim must conform substantially to the Proof of Claim Form (as defined in the Bar Date Order). Copies of the Proof of Claim Form may be obtained at <http://www.kccllc.net/rescap>. Each proof of claim must be **signed** by the claimant or by an authorized agent of the claimant. Each proof of claim must be written in English and be denominated in United States currency. You should attach to each completed proof of claim any documents on which the claim is based (if voluminous, attach a summary) or an explanation as to why the documents are not available.

Any holder of a claim against more than one Debtor must file a separate proof of claim with respect to each such Debtor and all holders of claims must identify on their proof of claim the specific Debtor against which their claim is asserted. A list of the names of the Debtors and their respective case numbers is attached to the Proof of Claim Form.

Under the Bar Date Order, the filing of a Proof of Claim Form shall be deemed to satisfy the procedural requirements for the assertion of administrative priority claims under section 503(b)(9) of the Bankruptcy Code.

EXHIBIT “ 2 ”

1 **NORMA E. RODRIGUEZ**
2 14429 S. Cookacre Street
3 Compton, California 90221
4 Telephone No.: (310) 748-8008
5 Facsimile No.: (310) 748-8008

6
7 **Creditor, NORMA E. RODRIGUEZ In Pro Se**

8 **UNITED STATES BANKRUPTCY COURT**
9
10 **FOR THE SOUTHERN DISTRICT OF NEW YORK**

11 In Re:) **CHAPTER 11**
12)
13) **CASE NO. 12-12020 (MG)**
14 RESIDENTIAL CAPITAL, LLC, *et al.*,) **Jointly Administered**
15 Debtors)
16)
17) **DECLARATION OF**
18 **NORMA E. RODRIGUEZ**
19 **IN SUPPORT OF HER**
20 **OBJECTION OF THE**
21 **RESCAP TRUST, AS**
22 **SUCCESSOR IN**
23 **INTEREST TO THE**
24 **DEBTORS' SIXTY-THIRD**
25 **OMNIBUS CLAIMS**
26 **OBJECTION (PURPOSED**
27 **ADMINISTRATIVE**
28 **CLAIMS) - NORMA E.**

**RODRIGUEZ TO CLAIM
(LATE-FILED
BORROWER CLAIM)
WITH RESPECT TO
CLAIM NO. 7450 FILED
CREDITOR NORMA E.
RODRIGUEZ**

Date: June 10, 2014
Time: 10:00 a.m.
Place: Courtroom 501

DECLARATION OF NORMA E. RODRIGUEZ

I, Norma E. Rodriguez, hereby declare as follows:

1. I am Creditor in Pro Se and was at all times herein mentioned, a citizen of the United States and employed in the County of Los Angeles, over the age of eighteen years and a party to the within action or proceeding; that my residence is: 14429 S. Cookacre Street, Compton, California 90221.

2. I submit this declaration (the "Declaration") in support of my Creditor's Objection to Debtors' *Sixty-Third Omnibus Claims Objection (Purported Administrative Claims) - Norma E. Rodriguez to Claim (Late-Filed Borrower Claim) with Respect to Claim No. 7450* (the "Objection") filed by Norma E. Rodriguez ("Creditor").

3. Except as otherwise indicated, all facts set forth in this Declaration are based upon my personal knowledge of the Creditor's federal

1 lawsuit against GMAC Mortgage, LLC, and all respective debtors. If I was
2 called upon to testify, I could and would testify competently to the facts set
3 forth in the Objection on that basis.

4 4. On **January 16, 2014**, I caused and served a true and
5 correct copy of the Creditor's proof of claim signed and dated January 16,
6 2014 [Docket No. 6845] to be served upon **ResCap Claims Processing**
7 **Center, c/o KCC, P.O. Box 5004, Hawthorne, California 90250** via Express
8 Mail U.S. Mail No. EI460227983US and Certified First Class U.S. Mail No.
9 EI460227983US, respectively.

10 5. Attached as **EXHIBIT "1"** is true and correct copy of that
11 CREDITOR'S PROOF OF CLAIM signed and dated January 16, 2014 by
12 Creditor including copies of supporting documents.

13 6. Attached as **EXHIBIT "2"** is true and correct copy of that
14 TRUSTEE'S DEED UPON SALE dated August 9, 2012, whereby Debtors GM
15 Mortgage, LLC and Executive Trustee Services, LLC dba ETS Services, LLC
16 willfully foreclosed on my residential property located at: 3422 Hope Street in
17 the City of Huntington Park, California, 90255 in bad faith. Thereafter,
18 Debtor's buyer/ commercial real estate investor named as: GB Inland
19 Properties, LLC willfully forced an eviction proceedings against Creditor and
20 her family on or about November 30, 2012. As a result, Creditor and her
21 family were homeless with limited income to provide temporary housing and
22 caused extreme emotional distress and public embarrassment to my family.
23
24

1 7. Attached as **EXHIBIT "3"** is true and correct copy of that
2 SUPERIOR COURT OF CALIFORNIA's UNLAWFUL DETAINER (Eviction
3 Proceedings) issued on: October 17, 2012 against Creditor and her family,
4 whereby Debtors' buyer/ commercial real estate investor named as: GB Inland
5 Properties, LLC utilized the Los Angeles County Sheriff's Department to
6 complete the possession process on said real property by force. Although I
7 did not reside at 3422 Hope Street Property as of November 30, 2012, I
8 received a copy of that *Notice of Deadline and Procedures for Filing Certain*
9 *Administrative Claims* on December 30, 2013 or seventeen (17) days prior to
10 the Administrative Claim Bar Date. Apparently, KCC sent a copy of that
11 *Notice of Deadline and Procedures for Filing Certain Administrative Claims*
12 to incorrect Creditor's residential address.
13

14 8. In accordance with mailing standard procedure, each of the
15 foregoing document was securely enclosed in postage prepaid envelopes and
16 delivered to an office of the United States Postal Service for delivery by
17 Express Mail U.S. Mail and Certified First Class U.S. Mail, respectively. The
18 envelopes were clearly marked with KCC's assigned mailing address.

19 9. As of the date of this Declaration, the foregoing mailing
20 identified in this Declaration was returned by KCC as: "not delivered as address
21 - unable to forward."

22 Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury
23 that the foregoing is true and correct.
24

1 Dated: May 4, 2014
2 Compton, California

3 By: Norma E. Rodriguez
4 **NORMA E. RODRIGUEZ**
5 *Creditor*
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26 Declaration of Norma E. Rodriguez in Support of her Objection of the ResCap Trust, as
27 successor in interest to the Debtors' Sixty-Third Omnibus Claims Objection (Purported
28 Administrative Claims) - Norma E. Rodriguez to Claim (Late-Filed Borrower Claim)
with Respect to Claim No. 7450 filed by Creditor Norma E. Rodriguez

EXHIBIT “ 1 ”

B10 (Official Form 10) (04/13)

UNITED STATES BANKRUPTCY COURT		PROOF OF CLAIM
Name of Debtor: GMAC MORTGAGE, INC. In re: RESIDENTIAL CAPITAL, LLC, 1100 Virginia Drive Fort Washington, PA 19034	Case Number: 12-12020 (MG)	
NOTE: Do not use this form to make a claim for an administrative expense that arises after the bankruptcy filing. You may file a request for payment of an administrative expense according to 11 U.S.C. § 503.		
Name of Creditor (the person or other entity to whom the debtor owes money or property): NORMA E. RODRIGUEZ		
Name and address where notices should be sent: NORMA E. RODRIGUEZ 3422 Hope Street Huntington Park, California 90255 Telephone number: 310.748.8008 email:		<div style="text-align: center;">COURT USE ONLY</div> <input type="checkbox"/> Check this box if this claim amends a previously filed claim. Court Claim Number: 2:12-cv-09808 (if known) JAK (Ex) Filed on: 11/15/12
Name and address where payment should be sent (if different from above): NORMA E. RODRIGUEZ 14429 S. Cookacre Street Compton, California 90221 Telephone number: 310.748.8008 email:		<input type="checkbox"/> Check this box if you are aware that anyone else has filed a proof of claim relating to this claim. Attach copy of statement giving particulars.
1. Amount of Claim as of Date Case Filed: \$ 477,189.77 If all or part of the claim is secured, complete item 4. 3422 Hope Street Huntington Park, CA 90255 If all or part of the claim is entitled to priority, complete item 5. <input type="checkbox"/> Check this box if the claim includes interest or other charges in addition to the principal amount of the claim. Attach a statement that itemizes interest or charges.		
2. Basis for Claim: (See instruction #2) gmac fraudulently transferred property for payment on another account - constructive trust		
3. Last four digits of any number by which creditor identifies debtor:	3a. Debtor may have scheduled account as: (See instruction #3a)	3b. Uniform Claim Identifier (optional): (See instruction #3b)
4. Secured Claim (See instruction #4) Check the appropriate box if the claim is secured by a lien on property or a right of setoff, attach required redacted documents, and provide the requested information. Nature of property or right of setoff: <input checked="" type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other Describe: Value of Property: \$ _____ Annual Interest Rate _____ % <input type="checkbox"/> Fixed or <input type="checkbox"/> Variable (when case was filed) Amount of arrearage and other charges, as of the time case was filed, included in secured claim, if any: \$ _____ Basis for perfection: _____ Amount of Secured Claim: \$ _____ Amount Unsecured: \$ _____		
5. Amount of Claim Entitled to Priority under 11 U.S.C. § 507 (a). If any part of the claim falls into one of the following categories, check the box specifying the priority and state the amount.		
<input type="checkbox"/> Domestic support obligations under 11 U.S.C. § 507 (a)(1)(A) or (a)(1)(B). <input type="checkbox"/> Up to \$2,775* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use – 11 U.S.C. § 507 (a)(7).	<input type="checkbox"/> Wages, salaries, or commissions (up to \$12,475*) earned within 180 days before the case was filed or the debtor's business ceased, whichever is earlier – 11 U.S.C. § 507 (a)(4). <input type="checkbox"/> Taxes or penalties owed to governmental units – 11 U.S.C. § 507 (a)(8).	<input type="checkbox"/> Contributions to an employee benefit plan – 11 U.S.C. § 507 (a)(5). <input type="checkbox"/> Other – Specify applicable paragraph of 11 U.S.C. § 507 (a)(____).
Amount entitled to priority: \$ _____		
*Amounts are subject to adjustment on 4/01/16 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.		
6. Credits. The amount of all payments on this claim has been credited for the purpose of making this proof of claim. (See instruction #6)		

B-0 (Official Form 10) (04/13)

7. Documents: Attached are redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, security agreements, or, in the case of a claim based on an open-end or revolving consumer credit agreement, a statement providing the information required by FRBP 3001(c)(3)(A). If the claim is secured, box 4 has been completed, and redacted copies of documents providing evidence of perfection of a security interest are attached. If the claim is secured by the debtor's principal residence, the Mortgage Proof of Claim Attachment is being filed with this claim. (See instruction #7, and the definition of "redacted".)

DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING.

If the documents are not available, please explain:

8. Signature: (See instruction #8)

Check the appropriate box.

☒ I am the creditor. ☐ I am the creditor's authorized agent. ☐ I am the trustee, or the debtor, or their authorized agent. ☐ I am a guarantor, surety, indorser, or other codebtor. (See Bankruptcy Rule 3005.)
(See Bankruptcy Rule 3004.)

I declare under penalty of perjury that the information provided in this claim is true and correct to the best of my knowledge, information, and reasonable belief.

Print Name: Norma E. Rodriguez

Title:

Company:

Address and telephone number (if different from notice address above):
14429 S. Cookacre Street
Compton, CA 90221

Telephone number: email:

Norma E. Rodriguez 01/16/14
(Signature) (Date)

INSTRUCTIONS FOR PROOF OF CLAIM FORM

The instructions and definitions below are general explanations of the law. In certain circumstances, such as bankruptcy cases not filed voluntarily by the debtor, exceptions to these general rules may apply.

Items to be completed in Proof of Claim form

Court, Name of Debtor, and Case Number:

Fill in the federal judicial district in which the bankruptcy case was filed (for example, Central District of California), the debtor's full name, and the case number. If the creditor received a notice of the case from the bankruptcy court, all of this information is at the top of the notice.

Creditor's Name and Address:

Fill in the name of the person or entity asserting a claim and the name and address of the person who should receive notices issued during the bankruptcy case. A separate space is provided for the payment address if it differs from the notice address. The creditor has a continuing obligation to keep the court informed of its current address. See Federal Rule of Bankruptcy Procedure (FRBP) 2002(g).

1. Amount of Claim as of Date Case Filed:

State the total amount owed to the creditor on the date of the bankruptcy filing. Follow the instructions concerning whether to complete items 4 and 5. Check the box if interest or other charges are included in the claim.

2. Basis for Claim:

State the type of debt or how it was incurred. Examples include goods sold, money loaned, services performed, personal injury/wrongful death, car loan, mortgage note, and credit card. If the claim is based on delivering health care goods or services, limit the disclosure of the goods or services so as to avoid embarrassment or the disclosure of confidential health care information. You may be required to provide additional disclosure if an interested party objects to the claim.

3. Last Four Digits of Any Number by Which Creditor Identifies Debtor:

State only the last four digits of the debtor's account or other number used by the creditor to identify the debtor.

3a. Debtor May Have Scheduled Account As:

Report a change in the creditor's name, a transferred claim, or any other information that clarifies a difference between this proof of claim and the claim as scheduled by the debtor.

3b. Uniform Claim Identifier:

If you use a uniform claim identifier, you may report it here. A uniform claim identifier is an optional 24-character identifier that certain large creditors use to facilitate electronic payment in chapter 13 cases.

4. Secured Claim:

Check whether the claim is fully or partially secured. Skip this section if the

claim is entirely unsecured. (See Definitions.) If the claim is secured, check the box for the nature and value of property that secures the claim, attach copies of lien documentation, and state, as of the date of the bankruptcy filing, the annual interest rate (and whether it is fixed or variable), and the amount past due on the claim.

5. Amount of Claim Entitled to Priority Under 11 U.S.C. § 507 (a).

If any portion of the claim falls into any category shown, check the appropriate box(es) and state the amount entitled to priority. (See Definitions.) A claim may be partly priority and partly non-priority. For example, in some of the categories, the law limits the amount entitled to priority.

6. Credits:

An authorized signature on this proof of claim serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

7. Documents:

Attach redacted copies of any documents that show the debt exists and a lien secures the debt. You must also attach copies of documents that evidence perfection of any security interest and documents required by FRBP 3001(c) for claims based on an open-end or revolving consumer credit agreement or secured by a security interest in the debtor's principal residence. You may also attach a summary in addition to the documents themselves. FRBP 3001(c) and (d). If the claim is based on delivering health care goods or services, limit disclosing confidential health care information. Do not send original documents, as attachments may be destroyed after scanning.

8. Date and Signature:

The individual completing this proof of claim must sign and date it. FRBP 9011. If the claim is filed electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what constitutes a signature. If you sign this form, you declare under penalty of perjury that the information provided is true and correct to the best of your knowledge, information, and reasonable belief. Your signature is also a certification that the claim meets the requirements of FRBP 9011(b). Whether the claim is filed electronically or in person, if your name is on the signature line, you are responsible for the declaration. Print the name and title, if any, of the creditor or other person authorized to file this claim. State the filer's address and telephone number if it differs from the address given on the top of the form for purposes of receiving notices. If the claim is filed by an authorized agent, provide both the name of the individual filing the claim and the name of the agent. If the authorized agent is a servicer, identify the corporate servicer as the company. Criminal penalties apply for making a false statement on a proof of claim.

EXHIBIT “ 2 ”

RECORDING REQUESTED BY:

AND WHEN RECORDED MAIL TO:
GB INLAND PROPERTIES, LLC

110 N LINCOLN AVE # 100
CORONA, CA 92882

Forward Tax Statements to
the address given above

**Conformed Copy
of Document**

Recorded on 8/9/2012
as No. 2012185621

County Recorder

A 12827

SPACE ABOVE LINE FOR RECORDER'S USE

TS # GM-183831-C
LOAN # 7440996239 INVESTOR #: 10396107
TITLE ORDER # 090352985-CA-MSI

TRUSTEE'S DEED UPON SALE

APN 6213-018-003 TRANSFER TAX: \$
The Grantee Herein Was Not The Foreclosing Beneficiary.
The Amount Of The Unpaid Debt was \$477,189.77
The Amount Paid By The Grantee Was \$221,264.99
Said Property Is In The City Of HUNTINGTON PARK, County of Los Angeles

Executive Trustee Services, LLC dba ETS Services, LLC, as Trustee, (whereas so designated in the Deed of Trust hereunder more particularly described or as duly appointed Trustee) does hereby GRANT and CONVEY to

GB INLAND PROPERTIES, LLC

(herein called Grantee) but without covenant or warranty, expressed or implied, all right title and interest conveyed to and now held by it as Trustee under the Deed of Trust in and to the property situated in the county of Los Angeles, State of California, described as follows:

THE LAND REFERRED TO IS SITUATED IN THE COUNTY OF LOS ANGELES, CITY OF HUNTINGTON PARK, STATE OF CALIFORNIA, THE WEST 40 FEET OF THE EAST 80 FEET OF THE NORTH 125 FEET OF LOT 113 OF TRACT NO. 2699, IN THE CITY OF HUNTINGTON PARK, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 26, PAGE 50 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

This conveyance is made in compliance with the terms and provisions of the Deed of Trust executed by NORMA E. RODRIGUEZ; A SINGLE WOMAN as Trustor, dated 11/10/2005 of the Official Records in the office of the Recorder of Los Angeles, California under the authority and powers vested in the Trustee designated in the Deed of Trust or as the duly appointed Trustee, default having occurred under the Deed of Trust pursuant to the Notice of Default and Election to Sell under the Deed of Trust recorded on 11/17/2005, instrument number 05 2782368 (or Book xx, Page xx) of Official records. Trustee having complied with all applicable statutory requirements of the State of California and performed all duties required by the Deed of Trust including sending a Notice of Default and Election to Sell within ten days after its recording and a Notice of Sale at least twenty days prior to the Sale Date by certified mail, postage pre-paid to each person entitled to notice in compliance with California Civil Code 2924b.

TRUSTEE'S DEED UPON SALE

Trustee's Deed
T.S.# GM-183831-C
Loan # 7440996239
Title Order # 090352985-CA-MSI

All requirements per California Statutes regarding the mailing, personal delivery and publication of copies of Notice of Default and Election to Sell under Deed of Trust and Notice of Trustee's Sale, and the posting of copies of Notice of Trustee's Sale have been complied with. Trustee, in compliance with said Notice of Trustee's sale and in exercise of its powers under said Deed of Trust sold said real property at public auction on 07/30/2012. Grantee, being the highest bidder at said sale became the purchaser of said property for the amount bid, being \$221,264.99, in lawful money of the United States, in pro per, receipt there of is hereby acknowledged in full/partial satisfaction of the debt secured by said Deed of Trust.

In witness thereof, Executive Trustee Services, LLC dba ETS Services, LLC, as Trustee, has this day, caused its name to be hereunto affixed by its officer thereunto duly authorized by its corporation by-laws

Date: 8/2/12

Executive Trustee Services, LLC dba ETS Services, LLC

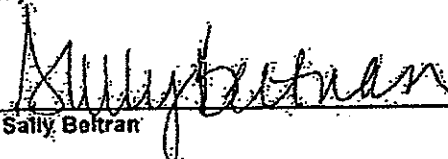
By: 
Maria Reyes, Authorized Officer

State of California } S.S.
County of Los Angeles }

On 8-2-12 before me, Sally Beltran, Notary Public, personally appeared Maria Reyes who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under penalty of perjury under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature:  (Seal)
Sally Beltran

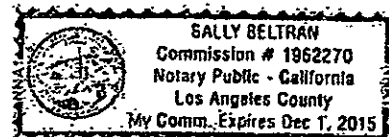


EXHIBIT “ 3 ”

12U00949

JUDGMENT

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES
SOUTHEAST DISTRICT, HUNTINGTON PARK COURTHOUSE (-19480-)
6548 MILES AVENUE, HUNTINGTON PK, CA 90255-0609
Telephone: (323) 586-6359

IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT JUDGMENT BE ENTERED AS FOLLOWS:

FOR: GB INLAND PROPERTIES , LLC

AGAINST: RODRIGUEZ, NORMA
RODRIGUEZ, JAIME
BARRERA, ROSALVA
DELGADO, CECILIA

RESTITUTION AND POSSESSION OF THE PREMISES LOCATED AT:
3422 HOPE ST,
HUNTINGTON PK, CA 90255

THIS JUDGMENT OF POSSESSION APPLIES TO ANY AND ALL UNNAMED OCCUPANTS OF THE PREMISES
PURSUANT TO C.C.P. 415.46.

COMMENTS:
WRIT OF POSSESSION TO BE ISSUED FORTHWITH, BUT
NO LOCKOUT PRIOR TO 11-30-2012.
CONTESTED TRIAL HELD.
JUDGMENT FOR THE PLAINTIFF.

This judgment conforms to the order of the court.

DATED: 10/17/2012

JAIME R. CORRAL
JUDGE, SUPERIOR COURT

FILED AND ENTERED ON: 10/17/2012
BY COLLEEN O'GRADY
DEPUTY CLERK

JOHN A. CLARKE
Executive Officer/Clerk

**SUMMONS
(CITACION JUDICIAL)****UNLAWFUL DETAINER—EVICTION
(RETENCIÓN ILÍCITA DE UN INMUEBLE—DESALOJO)****NOTICE TO DEFENDANT:** DOES 1 TO 10
(AVISO AL DEMANDADO):
NORMAN RODRIGUEZ**YOU ARE BEING SUED BY PLAINTIFF:
(LO ESTÁ DEMANDANDO EL DEMANDANTE):**

GB INLAND PROPERTIES, LLC

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)**UNFORMED COPY
ORIGINAL FILED****AUG 06 2012**John A. Clarke, Executive Officer, Clerk
By _____, Deputy

You have 5 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. (To calculate the five days, count Saturday and Sunday, but do not count other court holidays. If the last day falls on a Saturday, Sunday, or a court holiday then you have the next court day to file a written response.) A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case.

Tiene 5 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. (Para calcular los cinco días, cuente los sábados y los domingos pero no los otros días feriados de la corte. Si el último día cae en sábado o domingo, o en un día en que la corte esté cerrada, tiene hasta el próximo día de corte para presentar una respuesta por escrito). Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California, (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. **AVISO:** Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 o más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

1. The name and address of the court is:
(El nombre y dirección de la corte es):
SUPERIOR COURT OF CALIFORNIA COUNTY OF LOS ANGELES
6548 MILES AVE

CASE NUMBER:
(Número del caso):**12U00949**

- HUNTINGTON PARK, CA. 90255
HUNTINGTON PARK JUDICIAL DISTRICT
2. The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:
(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):
TIMOTHY B. LIEBAERT & ASSOCIATES
TIMOTHY B. LIEBAERT BAR #178334
634 OAK CT SAN BERNARDINO CA 92410
909-889-5151

3. (Must be answered in all cases) An unlawful detainer assistant (Bus. & Prof. Code, §§ 6400-6415) ☒ did not ☐ did for compensation give advice or assistance with this form. (If plaintiff has received any help or advice for pay from an unlawful detainer assistant, complete item 6 on the next page.)

Date: **AUG 06 2012**
(Fecha)Clerk, by **A. Siquetres**, Deputy
(Secretario) (Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)
(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).

(SEAL)

4. **NOTICE TO THE PERSON SERVED:** You are served

- a. ☐ as an individual defendant.
b. ☐ as the person sued under the fictitious name of (specify):
c. ☐ as an occupant
d. ☐ on behalf of (specify):
under: ☐ CCP 416.10 (corporation) ☐ CCP 416.60 (minor)
☐ CCP 416.20 (defunct corporation) ☐ CCP 416.70 (conservatee)
☐ CCP 416.40 (association or partnership) ☐ CCP 416.90 (authorized person)
☐ CCP 415.46 (occupant) ☐ other (specify):

- 5.
- ☐
- by personal delivery on (date):

TIMOTHY B. LIEBAERT & ASSOCIATES
TIMOTHY B. LIEBAERT BAR #178334
634 OAK CT SAN BERNARDINO CA 92410
SAN BERNARDINO CA 92410

178334
909-889-5151

Attorney(s) for PLAINTIFF

SUPERIOR COURT OF CALIF COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

GB INLAND PROPERTIES, LLC

Plaintiff(s) AND/OR ITS SUCCESSORS,
vs. AND/OR ASSIGNEES
IN INTEREST,

NORMAN RODRIGUEZ

Defendant(s) DOES 1 - 10

No.

COMPLAINT FOR UNLAWFUL DETAINER
POST FORECLOSURE (Code of Civil
Procedure § 1161a) AMOUNT
DEMANDED DOES NOT EXCEED
\$10,000.00

Plaintiff, GB INLAND PROPERTIES, LLC AND/OR ITS SUCCESSORS, AND/OR ASSIGNEES IN
INTEREST, alleges:

~~1. Plaintiff is ignorant of the true names and capacities of Defendants,~~
whether individual, corporate, associate, or otherwise, sued herein as Does 1-
10, inclusive and sues said Defendants by such fictitious names. Plaintiff will
amend this complaint to allege the true names and capacities of said Defendants
when same have been ascertained. Plaintiff is informed and believes and based
thereon alleges that each "Doe" Defendant is legally responsible for the events
and happenings hereinafter referred to and any damages claimed thereby.

2. The real property that is the subject of this action is located at 3422 HOPE
ST HUNTINGTON PARK CA 90255 (hereinafter subject property), which is located
within the County of LOS ANGELES, State of California and is within the
jurisdiction of this court.

Exhibit #

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Solutions
& Plus
7/99
PP-302

1 3. Plaintiff is informed and believes and based thereon alleges that each
2 Defendant, whether named or fictitious, is the agent, servant, employee and/or
3 partner of the remaining Defendants and in doing the acts herein alleged acted
4 in the course and scope of such agency, employment, partnership and/or service.

5 4. At all times herein mentioned Plaintiff, was and still is a duly organized
6 LIMITED LIABILITY COMPANY which was organized and is existing by virtue of the
7 laws of the State of California.

8 5. At all times herein mentioned Defendants, NORMAN RODRIGUEZ and Does 1-10 are
9 residents of the County of LOS ANGELES and are unlawfully in possession of the
10 subject property after being duly served with a 3/90 Day Notice to Quit
11 pursuant to Code of Civil Procedure § 1161a.

12 6. On or about 7/31/12 Plaintiff, acquired the subject property at a Trustee's
13 Sale that was conducted pursuant to the provisions of Civil Code §2923.5 &
14 §2924 et seq. Plaintiff was/was not the foreclosing beneficiary and perfected
15 the Trustee's Deed Upon Sale.

16 7. On 7/31/12 Defendant, Does 1-10 and all others in possession of the subject
17 ~~property were served with the 3/90 Day Notice to Quit by posting said notice in~~
18 a conspicuous place on the subject property and by mailing the Notice to said
19 Defendants and each of them to the subject property.

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8. On or about 8/3/12 the 3/90 Notice to Quit expired and Defendants and each of them have remained in the subject property ever since.

9. Code of Civil Procedure § 1161a gives a purchaser of real property at a regularly conducted trustee's sale the right to immediate possession of that property and any person or entity that remains in possession after being lawfully served with a proper Notice to Quit is guilty of unlawful detainer.

10. The reasonable fair market rental value of the subject property is \$63.57 per day which should be calculated from the expiration date of the Notice to Quit to the date Judgment is entered. The fair market daily rental value of the subject property was determined by a comparison of the rental comparables for the geographical area in which the subject property is located.

WHEREFORE, Plaintiff prays for judgment against Defendants and each of them as follows:

1. For immediate restitution and possession of the subject property located at 3422 HOPE ST HUNTINGTON PARK CA 90255.

2. For holdover damages in the amount of \$63.57 per day from 8/4/12 to the date of judgment according to proof;

3. For costs of suit herein incurred; and

4. For such other and further relief that this court may deem just and proper.

Dated: 8/6/12

TIMOTHY B. LIEBAERT ATTORNEY AT LAW



VERIFICATION of the Complaint:

I have read the Unlawful Detainer Complaint filed and know its contents.

1. I am:

() the Plaintiff:

() an Officer of the Plaintiff in this action, and I am authorized to make this verification for and on its behalf.

☒ an agent of the Plaintiff in this action, and I am authorized to make this verification for and on its behalf.

2. I am informed and believe, and on that ground allege that the matters stated in the foregoing Complaint are true and correct.

The notice that the complaint is based on is a 3 day ☒ or 90 day ().

The daily damage value per day is \$ \$63.57.

The property address is 3422 Hope St., Huntington Park, Ca 90255

I request that a facsimile be accepted as an original pursuant to CRC

2.305(d), a signature hereon, in any, I produced by facsimile transmission is admissible as an original.

I declare under penalty of perjury that the foregoing is true and correct. I executed this verification on 8/6/12 at

Corona, CA.

Jonathon Cole

(Name, printed or typed)


(Signature)

NOTICE FOR POSSESSION AFTER FORECLOSURE

TO: Norma Rodriguez
AND ALL OTHER PERSONS IN POSSESSION OF THE PREMISES LOCATED AT:
3422 Hope St, Huntington Park Ca 90255
(the "Premises")

NOTICE IS HEREBY GIVEN THAT:

You are required to quit and deliver up possession of the Premises to the undersigned, as the Owner's authorized agent, within the period specified below. The Premises were sold at a foreclosure sale held on 7-31-2012 in accordance with California Civil Code §2924 and pursuant to the power of sale contained in a deed of trust recorded in the official records of the county in which the Premises is located, in the State of California, and title to the Premises is duly perfected.

NOTICE IS FURTHER GIVEN THAT:

If you are the trustor(s) of the deed of trust described above, or successor(s) in interest to the trustor(s), or any person who is not a bona fide tenant or subtenant, you must vacate the Premises within **THREE (3) DAYS** after service on you of this notice.

In the event you are a bona fide tenant or a subtenant of the trustor(s) of the deed of trust described above, or a bona fide tenant or a subtenant of a successor in interest to the trustor, you must vacate this property within **NINETY (90) DAYS** after service on you of this notice.

If you believe you are a tenant with a bona fide lease, you must contact the undersigned within three days of the date of this notice and provide a signed copy of your lease and proof of rent payments for the past three months. Failure to do so may result in legal action for possession of the property, rental payments, late fees, court costs and attorneys' fees.

This Notice is given pursuant to the provisions of the Protecting Tenants At Foreclosure Act of 2009 and the California Code of Civil Procedure §1161a. This Notice also constitutes a notice of non-renewal of any lease applicable to the Premises.

DATED: 7-31-2012

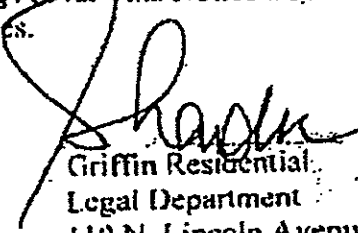

Griffin Residential
Legal Department
110 N. Lincoln Avenue, Suite 100
Corona, CA 92882
Tel: 951-547-3576
Fax: 951-547-3547

Exhibit # _____

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DECLARATION OF SERVICE OF NOTICE

On July 31, 2012, I served the Notice for Possession After Foreclosure in the manner(s) set forth below:

☐ **Personal Service:** At approximately _____ am / pm, I delivered a copy of the Notice to each of the following named parties personally:

☒ **Posting and Mailing:** The following named party/parties:

Norma Rodriguez

was/were served with the Notice by posting a copy for each named party in a conspicuous place on the property herein described, there being no person 18 years of age or older and of suitable discretion to be found at any known place of residence or business of said party/parties; and thereafter, on 7/31/12, I mailed, or caused to be mailed, in the normal course of business, a copy to each party by depositing said copies in the United States Mail, in a sealed envelope with postage fully prepaid, addressed to each party at his/her place of residence at:

3422 Hope St. Huntington Park Ca 90255

☐ **Substituted Service:** At approximately _____ am / pm, I handed a copy of the Notice for each of the following named parties:

to _____, a person 18 years of age or older and of suitable discretion at the residence or usual place of business of each of the above named parties, each being absent therefrom; and thereafter, on _____ I mailed, or caused to be mailed, in the normal course of business, a copy to each party by depositing said copies in the United States Mail, in a sealed envelope with postage fully prepaid, addressed to each party at his/her place of residence at:

I declare under penalty of perjury under the laws of the State of California that at the time of service, I was at least 18 years of age and that the foregoing is true and correct. If called as a witness to testify thereto, I could do so competently.

Executed on July 31, 2012, at Huntington Park, California.

Signature of Declarant: 

Print Name: SHON DJAAN SHAHI

